

Compliance Evaluation Summary and Checklist with ALL Requirements

Date Printed: 1/17/2019

| Activity: | BCI 180006 *Brief Compliance Inspection (133571) | | | | | |
|---------------------------------|--|--|--|--|------------------|--|
| Title Description: | 7/3/18 Active Landfill | | | | | |
| Start Date/Time: | 07/03/2018 10:30 AM | | | End Date/Time: 07/03/2018 1:30 PM | | |
| Program Interest: | KEEGAN LANDFILL 133571 (SOLID WASTE FACILITY) 437 BERGEN AVE KEARNY TOWN, HUDSON COUNTY | | | | | |
| Mailing Address: | ONE DEKORTE PARK PLAZA Lyndhurst NJ 07071 | | | | | |
| Responsibility Entity(s) | <u>Program Interests Included in Inspection:</u> | | | | | |
| NJ Meadowlands Comm | 133571 (Solid Waste Facility) | | | | | |
| Block(s) and Lot(s): | No Block and Lot | | | | | |
| Lead Investigator | Other Investigators | Persons Interviewed | | | Witnesses | |
| Zasoski, Andrea | Mercer, Carole | Reggie Rachumi, NJSEA, 1 DeKorte Park Plaza, PO Box 640, Lyndhurst, NJ 07071 201-638-7103 Walt Ingman, Waste Management, 201-250-1710 | | | | |

Site Summary: Please see 2-14-18 BCI for facility summary.

Site Observations: The purpose of the inspection was to check on the facility's progress with the litter control issues identified during the 2-14-18 and 4-12-18 and 5-4-18 inspections. Inspectors Carole Mercer (previous Inspector) and Andrea Zasoski (current inspector) checked in with Walt Ingman, Waste Management, at the office trailer. Inspectors then proceeded onto the landfill.

Inspectors went around the entire perimeter of the landfill checking for maintenance of the landfill's control systems (monitoring wells, etc.) and overall condition of the landfill. The leachate break that was observed in the 2-14-18 inspection has been repaired. Litter was still observed in some areas, mostly along the side slopes of the landfill. See photos in attachments.

Inspectors went to the top of the landfill and observed waste that was not covered with daily cover which may be contributing to the litter issues. Approval condition #55 states the owner may be exempted from the application of daily cover soil if uncovered solid waste is inert and will not create an environmental or public health nuisance or safety hazard. Due to the ongoing litter issues, condition #55 will be marked out of compliance.

At the working face of the landfill, inspectors observed a truck dumping a liquid sewage sludge material (See photos in attachments). The inspectors interviewed the driver of the truck and the driver explained that the load is from North Bergen MUA. Keegan Landfill has been classifying this material as ID-27 according to Tom Martuano, NJSEA. The Bureau of Solid Waste Permitting and the Bureau of Pretreatment and Residuals were consulted on this matter and it was determined that the liquid sewage sludge material from North Bergen MUA is not ID-27 and Keegan Landfill must immediately stop accepting this material from any treatment plant.

Tom Martuano and Reggie Rachumi, NJSEA, was advised of these findings via e-mail and was notified that Keegan Landfill will be issued a Notice of Violation.

| Inspection Attribute(s): | Quantity(s) | |
|---------------------------------|--------------------|--|
| Number of Attributes: 0 | | |

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|-------------------------|--------------------------------------|---------|------------------------|--------------------------|-----------------|----------------------------|
| IC - In Compliance | ND - Compliance Not Determined | N - No | NA - Not Applicable | PV - Potential Violation | H - Heading | NI - Not Inspected |
| NC - No Obvious Concern | ON - Out of Compliance, Non-referred | Y - Yes | OC - Out of Compliance | DC - Data Collection | S - Sub-Heading | RTC - Return to Compliance |

133571 SX01 0 - Compliance Evaluation QC Checklist - SW Facility

| Requirement Included | Requirement | Status RTC | Results or Comments | Rule Source |
|----------------------|--|------------|---------------------------------|-------------|
| Y | SW NARRATIVE REPORT INFORMATION. | H | | Rules T |
| Y | Does the General Comments field or separate word document narrative report concisely describe the extent of areas inspected, operations, and any observations of potential significance, including changes since last inspection? If "No", please explain. | Y | | Rules T |
| Y | Was contact information obtained and entered appropriately for each person interviewed? Explain if "No". | Y | | Rules T |
| Y | Was the Program Interest Mailing Address on file confirmed as correct? Explain if "No". | Y | | Rules T |
| Y | Is this PI clear of open or pending Enforcement Actions? If "No", describe what actions are required in order for each open action to be closed. | N | See checklist items marked "OC" | Rules T |
| Y | Regardless of Compliance Status, have all checklist items pertaining to volume restrictions been answered completely, providing a capacity estimate and noting the method of measurement? | Y | | Rules T |
| Y | Have all measurements, GPS readings, PID readings, sketches, maps, or other documentation relevant to this inspection been recorded herein? Note what information is available in the attachment list. If "No", please explain. | Y | | Rules T |
| Y | Are descriptions of any new violations described in detail, including their specific location(s)? | Y | | Rules T |
| Y | Have all persistent violations been documented appropriately, marking "ON" for corrective actions which have not been implemented, and "OC" in the appropriate checklist row and noting any changes or new information pertaining to the violation? | Y | | Rules T |
| Y | Has an inspection close out discussion been documented in the comments field, with names of parties to the discussion, and describing planned or implemented actions needed or agreed upon? Please explain if "No". | Y | | Rules T |

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133571 SX01 0 - Compliance Evaluation QC Checklist - SW Facility

| Req. Included/Elec. | Requirement | Status RTC | Results or Comments | Req. Source Ref. / Req. Type |
|---------------------|---|------------|---------------------|------------------------------|
| Y | By responding "Yes" and submittal of this report, I hereby represent that I have reviewed it for completeness, spelling, and grammar? Please explain if "No". | Y | | Rules T |

133571 SWLG 885,393 - General Solid Waste Facility Operating Conditions

| Req. Included/Elec. | Requirement | Status RTC | Results or Comments | Req. Source Ref. / Req. Type |
|---------------------|--|------------|--|------------------------------|
| Y | The owner/operator shall operate the facility in compliance with the requirements of N.J.A.C. 7:26-2.11. [N.J.A.C. 7:26- 2.8(l)] | OC | Areas of litter were observed on the landfill, the litter was primarily on the side-slopes. Litter control issues were identified during the previous inspections on 2-14-18 and 4-12-18 and 5-4-18 as well. | CTO 170001 45 T |
| N | Where the owner/operator becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Department, the owner/operator shall promptly submit such facts or information. [N.J.A.C. 7:26-2] | | | CTO 170001 57 T |
| N | All completed registration statements submitted by the owner/operator shall be signed as specified at N.J.A.C. 7:26-2.4(e)1. [N.J.A.C. 7:26- 2.4(e)1] | | | CTO 170001 58 T |
| N | All engineering designs and reports, the environmental and health impact statement, other information requested as "Addendums" by the Department pursuant to N.J.A.C. 7:26-2.4(f) and (g)4 and documents required to be submitted pursuant to N.J.A.C. 7:26-2.9 and 2.10, submitted on behalf of the owner/operator, shall be signed by a person described in N.J.A.C. 7:26-2.4(e)1 or by a duly authorized representative of that person, as specified at N.J.A.C. 7:26-2.4(e)2. [N.J.A.C. 7:26- 2.4(e)2] | | | CTO 170001 59 T |
| N | Any person signing a registration statement, engineering design or report, environmental and health impact statement or addendum mentioned in N.J.A.C. 7:26-2.4(e)1 or (e)2, submitted on behalf of the owner/operator, shall make the certification specified at N.J.A.C. 7:26-2.4(e)3. [N.J.A.C. 7:26- 2.4(e)3] | | | CTO 170001 60 T |

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133571 SWLG 885,393 - General Solid Waste Facility Operating Conditions

| Req. Number | Requirement | Status RTC | Result/Comments | Req. Source Ref. No. Book Type |
|-------------|--|---------------|---|--------------------------------------|
| Y | Prior to May 1 of each calendar year the owner/operator shall submit to the Department a statement updating the information contained in the initial registration statement. This update shall be on forms furnished by the Department. In no case shall submission of an updated statement alter conditions of this CAO. [N.J.A.C. 7:26- 2.8 (b)] | IC | All reports are up to date as per Sanjay Shah, NJDEP Solid Waste Permitting. | CTO 170001 66 T |
| N | The owner/operator shall notify the Department in writing within 30 days of any change in the information set forth in the current registration statement. [N.J.A.C. 7:26- 2.8(c)] | | | CTO 170001 87 T |
| N | Failure of the permittee to submit an updated registration statement and to submit all applicable fees, required by N.J.A.C. 7:26-4, on or before July 1 of each calendar year shall be sufficient cause for the Department to revoke this permit or take such other enforcement action as is appropriate. [N.J.A.C. 7:26- 2.8(d)] | | | CTO 170001 68 T |
| Y | The owner/operator shall maintain a daily record of wastes received. The record shall include the information specified at N.J.A.C. 7:26-2.13(a). [N.J.A.C. 7:26- 2.13(a)] | IC | Records of incoming waste were reviewed for June 2018 | CTO 170001 69 T |
| Y | The daily record shall be maintained, shall be kept, and shall be available for inspection in accordance with N.J.A.C. 7:26-2.13(b). [N.J.A.C. 7:26- 2.13(b)] | IC | | CTO 170001 70 T |
| Y | The owner/operator shall verify, retain and make available for inspection a waste origin/disposal (O and D) form for each load of solid waste received in accordance with N.J.A.C. 7:26-2.13(c). [N.J.A.C. 7:26- 2.13(c)] | IC | The landfill operates three inbound and one outbound scale. The O&D forms were reviewed at the scalehouse. The forms were complete with no missing information. | CTO 170001 71 T |
| Y | The owner/operator shall submit monthly summaries of wastes received to the Division of Solid and Hazardous Waste, Bureau of Planning and Licensing and the Solid Waste Coordinator for the District where the facility is located, on forms provided by the Department (or duplication of same), no later than 20 days after the last day of each month. The monthly summaries shall include the information specified at N.J.A.C. 7:26-2.13(e). [N.J.A.C. 7:26- 2.13(e)] | IC | Sanjay Shah, NJDEP permitting, stated in an e-mail on 6/28/18 that Keegan submits all reports regularly. | CTO 170001 72 T |

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133571 SWLG 885,393 - General Solid Waste Facility Operating Conditions

| Root Included Flag | Requirement | Status RTC | Results or Comments | Root Source Ref. Reg. Type |
|--------------------------|--|---------------|---------------------|----------------------------------|
| N | Upon request by the Department, the owner/operator shall submit, in such form as the Department may deem appropriate, information concerning the sources of wastes received and the transportation or disposal patterns associated with such wastes. [N.J.A.C. 7:26- 6.4] | | | CTO 170001 73 T |
| N | The owner/operator shall operate the facility in compliance with any applicable district solid waste management plan(s) as well as any amendments to and/or approved administrative actions concerning such plan(s). Should the owner/operator fail to comply with any applicable district solid waste management plan(s) as well as any amendment to or approved administrative actions concerning such plan(s), the owner/operator shall be deemed in violation of N.J.S.A. 13:1E-1 et seq. and N.J.A.C. 7:26-1 et seq. and shall be subject to applicable penalties provided thereunder, and any other applicable laws or regulations. [N.J.A.C. 7:26- 6.12(b)] | | | CTO 170001 74 T |
| N | The owner/operator shall report to the Department and the Attorney General within 30 days any changes or additions in the information required to be included in the disclosure statement, as specified at N.J.A.C. 7:26-16.6. [N.J.A.C. 7:26-16.6(b)] | | | CTO 170001 75 T |
| N | The owner/operator shall report any other changes in the information contained in the disclosure statement currently on file with the Department and the Attorney General in an annual update to be filed with the Department at the time of the annual renewal of its registration with the Department, as specified at N.J.A.C. 7:26-16.6. [N.J.A.C. 7:26-16.6(c)] | | | CTO 170001 76 T |

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133571 SWLG 885,393 - General Solid Waste Facility Operating Conditions

| Req Included Plan | Requirement | Status RTC | Results or Comments | Req Source Ref ID Report Type |
|-------------------------|--|---------------|---------------------|-------------------------------------|
| Y | <p>The owner/operator shall inspect each incoming waste load in accordance with the Waste Control, Inspection, and Recyclables Plan included as part of the approved final operations and maintenance manual, or in accordance with any other approved facility operating plan as appropriate. Such inspections shall be performed to identify the incidence of designated recyclable materials that may be mandated to be source separated by the District Recycling Plan applicable to the point of origin of the waste load. The owner/operator shall consult with each county recycling coordinator for the facility's service area on a quarterly basis to review those recyclable materials that are designated by each county to be source separated pursuant to N.J.S.A. 13:1E-99,13(b)2. The Waste Control, Inspection, and Recyclables Plan or other approved facility operating plan as appropriate, shall be updated accordingly. Should any designated recyclable materials be detected in a delivered waste load, the appropriate county recycling coordinator shall be notified in writing. The owner/operator shall maintain a copy of each such notification at the facility. Whenever possible, the generator who failed to source separate the recyclable materials shall also be identified and reported to the county recycling coordinator. [N.J.A.C. 7:26- 2.10(b)9vii]</p> | IC | | CTO 170001 78 T |
| N | <p>Upon notification from the Department that a State of Emergency, which may impact the facility's operations, has been declared by the Governor pursuant to the New Jersey Disaster Control Act at N.J.S.A. App. A:9-30 et seq., the owner/operator shall provide to the Division of Solid and Hazardous Waste a daily report on the operational status of the facility and the quantity of wastes received during the previous operating day or any other relevant information requested pursuant to N.J.S.A. App. A:9-36. The status report shall be submitted electronically, or as otherwise directed by the Department, to solidwasteemergencies@dep.nj.gov on forms, or in the format, provided by the Department and in compliance with the time frames established by the Department after the State of Emergency declaration. The status reports shall be submitted daily until the owner/operator is informed by the Department that the reports are no longer required for that State of Emergency. [N.J.A.C. 7:26- 2.11(b)9]</p> | | | CTO 170001 79 T |

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133571 SWLG 885,393 - General Solid Waste Facility Operating Conditions

| Regulation Included Page | Requirement | Status RTC | Results or Comments | Regulation Source Ref ID Page |
|--------------------------------|---|---------------|---------------------|--|
| Y | In case of conflict, the provisions of N.J.A.C. 7:26-1 et seq. shall have precedence over the conditions of this CAO, the conditions of this CAO shall have precedence over the referenced permit application documents, and the most recent revisions and supplemental information approved by the Department shall prevail over prior submittals and designs. [N.J.A.C. 7:26-2] | IC | | CTO 170001 99 T |
| Y | One complete set of the permit application documents as referenced herein, this CAO, the O & M manual, and all records, reports and plans as may be required pursuant to this CAO shall be kept on-site and shall be available for inspection by authorized representatives of the Department upon presentation of credentials. [N.J.A.C. 7:26-2.11(b)12] | IC | | CTO 170001 100 T |
| N | If required, soil erosion and sediment control shall be achieved in accordance with the Soil Erosion and Sediment Control Plan certified by the Hudson County Soil Conservation District. [N.J.A.C. 7:26-2A.9(e)] | IC | | CTO 170001 104 T |

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133571 SWLG 885,392 - General TCAO Conditions

| Requirement Included Flag | Requirement | Status (RTC) | Results or Comments | Root Source (Ref ID / Ref ID Type) |
|---------------------------|---|--------------|---------------------------------|------------------------------------|
| N | Failure to comply with the conditions of this CAO may subject the operator/owner to suspension or revocation of the CAO in accordance with N.J.A.C. 7:26-1.7b. [N.J.A.C. 7:26-1.7(b)] | | | CTO 170001 80 T |
| N | The Department may terminate or modify the conditions of this CAO, in the event that the Department determines that such associated operations may pose a threat to public health or the environment. [N.J.A.C. 7:26-1.7(a)] | | | CTO 170001 81 T |
| Y | The operator/owner shall manage the operation authorized by this Certificate of Authority to Operate (CAO) in accordance with the application documents referenced in this CAO. [N.J.A.C. 7:26- 1.7(a)] | ON | See checklist items marked "OC" | CTO 170001 82 T |
| N | This CAO shall remain effective for the period of one (1) year or until a final decision is made on the owner/operator's application for renewal and modification of the Solid Waste Facility Permit for the facility, whichever is earlier. A complete application requires an appropriately funded financial plan for closure and post-closure care of the landfill pursuant to N.J.A.C. 7:26-2A-9. The financial plan remains under review. If the application is determined to be complete, the Department will commence solid waste facility permit issuance procedures following the requirements and schedules presented in N.J.A.C. 7:26-2. If a final decision has not been made on the Solid Waste Facility Permit Application by the expiration date of this CAO, the owner/operator may apply to extend this CAO. [N.J.A.C. 7:26- 1.7(a)] | | | CTO 170001 83 T |
| N | The issuance of this CAO and the conditions of operation identified herein shall not be interpreted as relieving the operator/owner of his/her responsibility to secure and maintain all other applicable federal and local permits or similar forms of authorization relating to the construction and/or operation of this project. [N.J.A.C. 7:26-1.7(a)] | | | CTO 170001 84 T |

133571 SWLG 885,394 - Specific Landfill Operating Conditions

| Requirement Included Flag | Requirement | Status (RTC) | Results or Comments | Root Source (Ref ID / Ref ID Type) |
|---------------------------|-------------|--------------|---------------------|------------------------------------|
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133571 SWLG 885,394 - Specific Landfill Operating Conditions

| Reqd Included Flag | Requirement | Status RTC | Results or Comments | Reg'd Source Rome Reqd Type |
|--------------------------|---|---------------|--|-----------------------------------|
| N | The facility shall comply with the additional operational, maintenance, inspection and monitoring requirements for all sanitary landfills as provided at N.J.A.C. 7:26-2A.8 [N.J.A.C. 7:26-2A.8] | | | CTO 170001 1 T |
| Y | The facility is authorized to accept the following waste types: ID13 - Bulky waste (except for automobiles, trucks, trailers, large vehicle parts, drums, and appliances), ID13C - Construction and demolition waste, ID23 - Vegetative waste, and ID27 - Dry industrial waste as per N.J.A.C. 7:26-3A.5. [N.J.A.C. 7:26- 2.11(b)9] | OC | A truck dumping e liquid sewage sludge material was observed being dumped at the working face of the landfill. The inspectors interviewed the driver of the truck and the driver explained that the load is from North Bergen MUA. Keegan Landfill has been classifying this material as ID-27 according to Tom Martuano, NJSEA. The Bureau of Solid Waste Permitting and the Bureau of Pretreatment and Residuals were consulted on this matter and it was determined that the liquid sewage sludge material from North Bergen MUA is not ID-27 and Keegan Landfill must immediately stop accepting this material from any treatment plant. | CTO 170001 2 T |
| N | The facility is not authorized to accept any other type or description of solid waste as defined at N.J.A.C. 7:26-2.13(g) and (h), regulated medical waste as defined at N.J.A.C. 7:26-3A.6(a), or hazardous waste as defined at N.J.A.C. 7:26G. [N.J.A.C. 7:26- 2.11(b)9] | | | CTO 170001 3 T |
| Y | The areal extent of the landfill shall be approximately 100 acres. Final elevation, including the final cover, shall not exceed elevation 100 feet above mean sea level for the entire landfill. All sideslopes shall be constructed as specified on the referenced engineering plans. [N.J.A.C. 7:26- 2A] | IC | | CTO 170001 7 T |
| Y | Access to the sanitary landfill for solid waste disposal shall only be permitted during the following hours: Monday through Friday: 6:00 a.m. to 4:00 p.m. and Saturday from 6:00 a.m. to 1:30 p.m. The landfill will be closed on the New Jersey legal holidays. [N.J.A.C. 7:26- 2A.8(b)24] | IC | | CTO 170001 8 T |

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133571 SWLG 885,394 - Specific Landfill Operating Conditions

| Requirement | Status | Results or Comments | Reg. Source Ref. |
|---|-----------|---------------------|-----------------------|
| Reg. Included in File | Reg. Ref. | Reg. Type | |
| Y The landfill's base liner consist of the naturally occurring gray silt layer with permeability 6.0X10E-7. The facility is vertically contained by a perimeter slurry wall tied into the silt layer. The in-place permeability of the slurry wall shall be maintained at less than or equal to 1X10E-7 cm/sec. [N.J.A.C. 7:26- 2A.7(c)] | IC | | CTO 170001 9 T |
| N The final cover for the landfill shall consist of the following capping system in descending order: (e) 6 inches of vegetative soil with hydraulic conductivity of 5X10-4 cm/sec; (b) a 12 inch sacrificial barrier layer with hydraulic conductivity maximum of 1X10-4 cm/sec; (c) a 12 inch barrier layer with hydraulic conductivity maximum of 1X10-5 cm/sec; and (d) 12 inches of intermediate cover. For any change in the final cover, a request shall be submitted to the Division of Solid & Hazardous Waste for approval prior to implementation. There shall not be any future use of the landfill that may result in the alteration of the final cover, subsequent to closure activities, without review and approval by the Division of Solid & Hazardous Waste. [N.J.A.C. 7:26- 2A.7 (i)] | | | CTO 170001 10 T |
| N The owner/operator shall close and maintain the landfill in accordance with N.J.A.C. 7:26-2A.9 and the approved closure and post-closure plan as referenced herein. [N.J.A.C. 7:26-2A.9(d)8] | | | CTO 170001 25 T |
| N The owner/operator shall notify the Department in writing of his intention to suspend or terminate operations at the landfill. The Department shall receive notice at least 10 days prior to the date of suspension of operations, which notice shall include the duration of the suspension, and shall receive notice at least 180 days prior to the date of termination of operations. [N.J.A.C. 7:26-2A.9 (c)2] | | | CTO 170001 26 T |
| N Final cover constructed in accordance with N.J.A.C. 7:26-2A.7(i) shall be applied to all surfaces where final approved elevation has been reached and to all surfaces when the landfill operation is terminated. [N.J.A.C. 7:26- 2A.8(b) 14] | | | CTO 170001 27 T |

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133571 SWLG 885,394 - Specific Landfill Operating Conditions

| Requirement | Description | Results or Comments | Reference |
|-------------|--|---------------------|-----------------------|
| N | Upon closure of the sanitary landfill, a detailed description of the landfill shall be recorded, along with the deed, with the appropriate county recording office. The description shall include the general types, locations, and depths of wastes on the site, the depth and type of cover material, the dates the landfill was in use and all such other information as may be of interest to potential landowners, and shall remain in the record in perpetuity. The deed shall also provide notice that any future disruption of the closed landfill shall require prior approval from the Department in accordance with N.J.A.C. 7:26-2A.8(j). A copy of the recorded deed shall be submitted to the Division of Solid & Hazardous Waste. [N.J.A.C. 7:26- 2A.9(c)4] | | CTO 170001 28 T |
| N | The owner or operator may apply for Departmental approval to amend the Closure and Post-Closure Plan at any time during the sanitary landfill's operation, closure or post-closure care period. [N.J.A.C. 7:26-2A.9(d)6] | | CTO 170001 29 T |
| N | The Department may require the amendment of an engineering design and a Closure and Post-Closure Plan at any time it is deemed necessary during the sanitary landfill's operation, closure or post-closure care period. [N.J.A.C. 7:26-2A.9(d)7] | | CTO 170001 30 T |
| N | A copy of the approved Closure and Post-Closure Plan shall be kept on file at the sanitary landfill during the course of the sanitary landfill's operation and, after closure, shall be filed with the municipal clerk. [N.J.A.C. 7:26-2A.9(d)9] | | CTO 170001 31 T |
| N | Within six months of closure of the sanitary landfill, the owner and/or operator of the sanitary landfill shall obtain and submit to the Department an as-built certification by a New Jersey licensed professional engineer, certifying that each provision of the Closure and Post-Closure Plan has been implemented as designed and approved. [N.J.A.C. 7:26-2A.9(d)10] | | CTO 170001 32 T |
| N | A New Jersey licensed professional engineer shall certify, in writing, to the Department that he or she has supervised the inspection of the construction of each major phase of the sanitary landfill's closure. He or she shall further certify that each phase has been prepared and constructed in accordance with the closure design approved by the Department. The certification shall include as-built drawings. [N.J.A.C. 7:26-2A.9(d)10] | | CTO 170001 33 T |

| IC - In Compliance | ND - Compliance Not Determined | N - No | NA - Not Applicable | PV - Potential Violation | H - Heading | NI - Not Inspected |
|-------------------------|--------------------------------------|---------|------------------------|--------------------------|-----------------|----------------------------|
| NC - No Obvious Concern | ON - Out of Compliance, Non-referred | Y - Yes | OC - Out of Compliance | DC - Data Collection | S - Sub-Heading | RTC - Return to Compliance |

133571 SWLG 885,394 - Specific Landfill Operating Conditions

| Req'd Included Plan | Requirement | Status RTC | Results or Comments | Req'd Source Ref ID Report Type |
|---------------------------|---|---------------|--|---------------------------------------|
| N | A New Jersey licensed professional engineer shall certify that the materials utilized in the closure of the sanitary landfill are in conformance with and meet the specifications of the approved closure design. [N.J.A.C. 7:26-2A.9(d)10ii] | | | CTO 170001 34 T |
| N | There shall be no deviation from the approved closure design without the prior written approval of the design engineer and the Department. [N.J.A.C. 7:26- 2A.9(d)10iii] | | | CTO 170001 35 T |
| N | All certifications shall bear the raised seal of the New Jersey licensed professional engineer, his or her signature, and the date of certification. [N.J.A.C. 7:26-2A.9(d)10iv] | | | CTO 170001 36 T |
| N | The closure certification shall include the following statement: I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my Inquiry of those individuals under my supervision, I believe the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. I understand that, in addition to criminal penalties, I may be liable for civil administrative penalty pursuant to N.J.A.C. 7:26-5 and that submitting false information may be grounds for denial, revocation or termination of any solid waste facility permit for which I may be seeking approval or now hold. [N.J.A.C. 7:26-2A.9(d)10V] | | | CTO 170001 37 T |
| Y | The flow of leachate in the leachate collection system shall be recorded on a daily basis. The results shall be compiled on a quarterly basis and submitted to the Division of Solid & Hazardous Waste. [N.J.A.C. 7:26- 2A.8(h)4,5] | IC | All reports are up to date as per Sanjay Shah, NJDEP Solid Waste Permitting. | CTO 170001 38 T |
| Y | The hydrostatic pressure of the cut-off wall and the liner system shall be monitored on a monthly basis and the results submitted to the Division. [N.J.A.C. 7:26-2A.8(h)8] | IC | All reports are up to date as per Sanjay Shah, NJDEP Solid Waste Permitting. | CTO 170001 39 T |

| | | | | | | |
|----------------------------|---|---------|---------------------------|-----------------------------|---------------------|-------------------------------|
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| NC - No Obvious Concern | ON - Out of Compliance, Non-referred | Y - Yes | OC - Out of Compliance | DC - Data Collection | S - Sub- Heading | RTC - Return to Compliance |

133571 SWLG 885,394 - Specific Landfill Operating Conditions

| Req'd Element Included | Requirement | Result | Comments | Req'd Sub-req'd Reported |
|---------------------------|--|--------|---|-----------------------------|
| Y | A methane gas survey shall be performed around the perimeter of the landfill buffer zone not bounded by water on a quarterly basis. The survey shall be performed with a hand-held portable explosimeter or equivalent and the minimum sampling depth shall be three feet below the ground surface or above the water table, whichever is higher. The maximum interval between sampling points shall be 300 feet. Sampling shall be performed around the perimeter of all on-site structures. The maximum interval between sampling points for structures shall be 50 feet; however, there shall be at least one sampling point along each side of the structure. Survey results shall be submitted to the Division of Solid & Hazardous Waste as a condition of this Approval. [N.J.A.C. 7:26- 2A.8(h) 9ii] | IC | All reports are up to date as per Sanjay Shah, NJDEP Solid Waste Permitting. | CTO 170001 40 T |
| Y | The daily precipitation data from the meteorological monitoring system shall be compiled on a quarterly basis and submitted to the Division. [N.J.A.C. 7:26-2A.8(h)10] | IC | All reports are up to date as per Sanjay Shah, NJDEP Solid Waste Permitting. | CTO 170001 41 T |
| Y | The monitoring data for hydrostatic pressure of the cut-off wall shall be submitted on a monthly basis due on the last day of each month. The monitoring data for (a) daily precipitation, (b) leachate collection and (c) methane gas shall be submitted on a quarterly basis; fourth quarter due on January 31, 1st quarter due on April 30, 2nd quarter due on July 31, and 3rd quarter due on October 31 of each year. [N.J.A.C. 7:26- 2A.8] | IC | All reports are up to date as per Sanjay Shah, NJDEP Solid Waste Permitting. | CTO 170001 43 T |
| Y | The annual topographical survey of the sanitary landfill meeting the requirements of N.J.A.C. 7:26-2A.8(i) shall be submitted to the Division by May 1 of each year. [N.J.A.C. 7:26-2A.8(i)] | IC | All reports are up to date as per Sanjay Shah, NJDEP Solid Waste Permitting. | CTO 170001 44 T |
| N | The owner/operator shall maintain a separate area for staging and mixing ZIMPRO sludge to be used for daily cover. [N.J.A.C. 7:26-2A] | | | CTO 170001 115 T |
| Y | The owner/operator shall accept no more than 75 cubic yards of ZIMPRO material on a daily basis. [N.J.A.C. 7:26-2A] | IC | The ZIMPRO log was reviewed for May 2018. The facility is not taking more than 75 yards of ZIMPRO material per day. | CTO 170001 116 T |

| | | | | | | |
|-------------------------|--------------------------------------|---------|------------------------|--------------------------|-----------------|----------------------------|
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| NC - No Obvious Concern | ON - Out of Compliance, Non-referred | Y - Yes | OC - Out of Compliance | DC - Data Collection | S - Sub-Heading | RTC - Return to Compliance |

133571 SWLG 885,394 - Specific Landfill Operating Conditions

| Requirement | St. Info | Results or Comments | Report Source |
|--|-------------|--|------------------------|
| Report Type | Report Type | Report Type | Report Type |
| Y A ground water monitoring system shall be maintained and the ground water shall be monitored in conformance with the New Jersey Pollutant Discharge Elimination System Permit issued pursuant to N.J.A.C. 7:14A-1 et. seq. Monitoring data shall be reported as required by the NJPDES Permit # NJ0171271. [N.J.A.C. 7:26- 2A.9(e)] | IC | All reports are up to date as per Sanjay Shah, NJDEP Solid Waste Permitting. | CTO 170001 129 T |
| Y Solid waste shall be covered at the close of each operating day with daily cover consisting of six inches of compacted clean soil and/or a mixture of ZIMPRO sludge and clean soil. ZIMPRO sludge shall only be mixed in a 1:1 ratio with clean soil material for use as cover. Any alternative cover material and/or Processed Dredge Material from off-site shall not be accepted for use of daily/intermediated cover without prior approval from the Division of Solid & Hazardous Waste. In accordance with N.J.A.C. 7:26-2A.8(b)8, the owner may be exempted from the application of daily cover soil if uncovered solid waste is inert and will not create an environmental or public health nuisance or safety hazard. [N.J.A.C. 7:26- 2A.8(b)7] | OC | Uncovered solid waste was observed at the top of the landfill. The uncovered solid waste may be contributing to the ongoing litter issues. | CTO 170001 131 T |
| N The owner/operator of the landfill shall use ZIMPRO as daily cover on the interior faces only. It shall not be applied to the exterior sides and side slopes. [N.J.A.C. 7:26- 2A] | | | CTO 170001 132 T |
| Y The Bergen Avenue entrance shall be fenced and equipped with a secure gate. The facility fencing and gate shall be maintained to prevent unauthorized entry to the landfill. [N.J.A.C. 7:26- 2A.8(b)] | IC | | CTO 170001 134 T |

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State of New Jersey

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF WASTE ENFORCEMENT, PESTICIDES & RELEASE PREVENTION
BUREAU OF SOLID WASTE COMPLIANCE & ENFORCEMENT
P.O. BOX 420, MAIL CODE 09-03
TRENTON, NJ 08625-0420
TEL. (609) 292-6305
FAX (609) 292-3970

CATHERINE R. McCABE
Commissioner

CERTIFIED MAIL/RRR
7015 3430 0000 4828 0654

August 30, 2018

NOTICE OF VIOLATION EA ID #: PEA180001 - 133571

Mr. Thomas Marturano, Director
New Jersey Sports and Exposition Authority (NJSEA)
Solid Waste and Natural Resources
One DeKorte Park Plaza
Lyndhurst, NJ 07071

Location: Bergen Avenue
Kearny Town, Hudson County
Identifying #: 133571
Person interviewed and title: Mr. Thomas Marturano, Director, NJSEA

On July 03, 2018 a representative from the New Jersey Department of Environmental Protection (the "Department" or "NJDEP") conducted a compliance evaluation of your facility. This NOTICE is issued based on facts observed by or known to the Department's representative issuing this NOTICE, to inform you that violation(s) of the Solid Waste Management Act, (N.J.S.A. 13:1E-1 et seq.) and the regulations promulgated thereunder (N.J.A.C. 7:26-1 et seq. and/or N.J.A.C. 7:26A-1 et seq.) and/or the Solid Waste Utility Control Act, N.J.S.A. 48:13A-1 et seq. and the regulations promulgated thereunder (N.J.A.C. 7:26H-1 et seq.) has been found.

DESCRIPTION OF VIOLATIONS – Violations with citation(s) to the specific Rules issued under the above Statutes:

Requirement: Pursuant to N.J.A.C. 7:26- 2.11(b)9, the facility is authorized to accept the following waste types: ID13 - Bulky waste (except for automobiles, trucks, trailers, large vehicle parts, drums, and appliances), ID13C - Construction and demolition waste, ID23 - Vegetative waste, and ID27 - Dry industrial waste as per N.J.A.C. 7:26-3A.5. [N.J.A.C. 7:26-2.11(b)9]

Description of Noncompliance: A truck dumping a liquid sewage sludge material was observed being dumped at the working face of the landfill. The inspectors interviewed the driver of the truck and the driver explained that the load is from North Bergen MUA. Keegan Landfill has been classifying this material as ID-27 according to Tom Marturano, NJSEA. The Bureau of Solid Waste Permitting and the Bureau of Pretreatment and Residuals were consulted on this matter and it was determined that the liquid sewage sludge material from North Bergen MUA is not ID-27 and Keegan Landfill must immediately stop accepting this material from any treatment plant.

Requirement: Pursuant to N.J.A.C. 7:26- 2.8(i), the owner/operator shall operate the facility in compliance with the requirements of N.J.A.C. 7:26-2.11. [N.J.A.C. 7:26- 2.8(i)]

Description of Noncompliance: Areas of litter were observed on the landfill, the litter was primarily on the side-slopes. Litter control issues were identified during the previous inspections on 2-14-18 and 4-12-18 and 5-4-18 as well.

Requirement: Pursuant to N.J.A.C. 7:26- 2A.8(b)7, solid waste shall be covered at the close of each operating day with daily cover consisting of six inches of compacted clean soil and/or a mixture of ZIMPRO sludge and clean soil. ZIMPRO sludge shall only be mixed in a 1:1 ratio with clean soil material for use as cover. Any alternative cover material and/or Processed Dredge Material from off-site shall not be accepted for use of daily/intermediated cover without prior approval from the Division of Solid & Hazardous Waste. In accordance with N.J.A.C. 7:26-2A.8(b)8, the owner may be exempted from the application of daily cover soil if uncovered solid waste is inert and will not create an environmental or public health nuisance or safety hazard. [N.J.A.C. 7:26- 2A.8(b)7]

Description of Noncompliance: Exposed solid waste was observed at the top of the landfill in areas other than the working face. The exposed solid waste may be contributing to the ongoing litter issues.

PURPOSE OF THIS NOTICE - This is intended to serve as a **NOTICE** to you, to warn you of the above violations, in order to:

- 1) provide you with an opportunity to voluntarily investigate the matter and, take corrective action to address the identified violation(s) and;
- 2) identify those violations, and time periods, pursuant to the Grace Period Law, N.J.S.A. 13:1D-125 et seq. where your voluntary action can prevent formal enforcement orders and penalties issued by the Department (see violations marked with an asterisk above *). This **NOTICE** does not constitute a formal enforcement order, a final agency action or a final legal determination that a violation has occurred. Therefore, this **NOTICE** may not be appealed or contested.

Neither the issuance of this **NOTICE** nor any corrective actions taken by you to address the violation(s) cited, precludes the State of New Jersey or any of its agencies from initiating future enforcement action (including issuance of a formal enforcement order and the assessment of penalties) with respect to the violations listed above or for any other violations. In the event the Department determines to pursue future formal enforcement action, you will then be provided with an opportunity to appeal or contest such action.

RESPONDING TO THIS NOTICE – Voluntary corrective actions taken in response to this **NOTICE** can affect the Department's determination on the need for or severity of any potential future enforcement action in this matter. In accordance with the Grace Period Law, the Department will not assess a penalty against you for the violations marked with an asterisk * above, if you take voluntary action to address and correct these violations at the time of issuance, or within the time periods indicated in this **NOTICE**. For violations identified in this **NOTICE** that are not subject to the Grace Period Law, the Department may consider any voluntary actions you take in response to this **NOTICE** as part of its determination 1) on whether to initiate future formal enforcement action for this site/matter and, 2) on the amount of any penalty that may be assessed in future

enforcement actions. Please see items checked below regarding actions you may voluntarily undertake to address violations identified in this **NOTICE**:

CORRECTIVE ACTION(S) -The below Corrective Action(s) outline the timeframes pursuant to the Grace Period Law during which you may voluntarily take action to come into compliance. Depending on the nature of violations cited in this **NOTICE**, corrective action or compliance assistance recommendations for violations that are not subject to the Grace Period Law may also be listed below:

1. Immediately cease to accept liquid sewage sludge material from any treatment plant. [N.J.A.C. 7:26- 2.11(b)9]
2. Immediately implement the facility's litter control plan on all areas of the landfill and more specifically, effectively control litter on the landfill's slide slopes. [N.J.A.C. 7:26- 2.8(i)]
3. Immediately cover all solid waste at the end of each operating day in accordance with Condition #53 of Keegan Landfill's Certificate of Authority to Operate (CTO170001). [N.J.A.C. 7:26- 2A.8(b)7]

COMPLIANCE RESPONSE FORM - Submission of a Compliance Response Form (attached) is voluntary. Completed forms should be sent to the Department contact indicated at the bottom of this **NOTICE**.

If received within ____ days of receipt it will preserve your protection from penalty under Grace Period Law.
 If received within 30 days of receipt, it will be considered in potential future Department action regarding the violations.

IF YOU HAVE QUESTIONS REGARDING THIS NOTICE, the actions recommended, or if you would like to describe actions taken to address the identified violations, please contact the Department representative issuing this **NOTICE**:

Issued by: Andrea Zasoski

Date: August 30, 2018

Signature:

Andrea Zasoski
Sign Name

**NOTICE OF VIOLATION
COMPLIANCE RESPONSE FORM**

For NOTICE issued to New Jersey Sports and Exposition Authority (NJSEA) on August 30, 2018

Describe any corrective actions taken to achieve compliance. List the dates by which actions were completed:

"I certify that I am authorized to represent and serve as signatory on behalf of the person to whom this NOV is issued. I also certify under penalty of law that the information provided in this document is true, accurate, and complete. I am aware that there are significant civil and criminal penalties, including fines or imprisonment or both, for submitting false, inaccurate, or incomplete information."

Signature: _____ **Date:** _____

Print:

Title and Relationship to Named Party:

Telephone: _____

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Thomas Marturano, Director
New Jersey Sports and Exposition Authority (NJSEA)
Solid Waste and Natural Resources
One DeKorte Park Plaza
Lyndhurst, NJ 07071
EAIID #: PEA180001 - 133571



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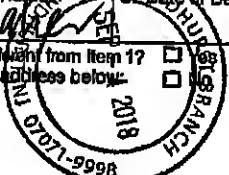
2. Article Number (Transfer from service label)

7015 3430 0000 4828 0654

COMPLETE THIS SECTION ON DELIVERY**A. Signature**

X *James Wiles* Agent Addressee

B. Received by (Printed Name) Date of Delivery

James Marturano 
2018-07-17 9998

D. Is delivery address different from item 1? delivery address below

- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

PS Form 8811, July 2015 PSN 7890-02-000-8063

Domestic Return Receipt

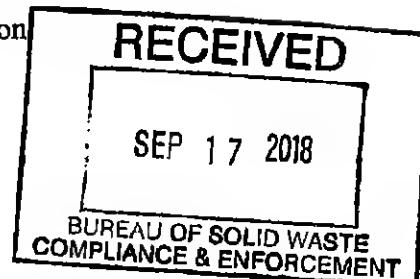


We Bring the World to New Jersey

September 13, 2018

Andrea Zasoski
Division of Waste Enforcement, Pesticides & Release Prevention
Bureau of Solid Waste Compliance & Enforcement
New Jersey Department of Environmental Protection
P.O. Box 420, Mail Code 09-03
Trenton, NJ 08625-0420

RE: July 3, 2018 Inspection of Keegan Landfill
EA ID# PEA 180001-133571



Dear Ms. Zasoski,

I am in receipt of the Notice of Violation issued by the Department on August 20, 2018. I will respond to the alleged issues in the same order as they appear in your letter.

Your letter claims that you observed a truck dumping liquid sewage sludge at the landfill. This is neither true nor supported by the facts- liquid sewage sludge is typically 5% solids and 95% water. What you observed was almost the exact opposite. It was at least 90% solids and less than 10% water. Liquid sewage sludge cannot be transported in an open roll-off container because the liquid would spill out as the truck moved. Finally, the odor associated with true liquid sewage sludge is quite pronounced which was not the case in this instance. This particular load of grit and screenings included a large number of snails and grit from some of the chambers in the plant. The vibration of the material as the truck moved caused some water to settle in the bottom of the container because it has a screen at the bottom of the container. This is exactly the same as vibrating concrete. We have never accepted liquid sewage sludge at our facility and to suggest otherwise is simply wrong. It should be noted that the North Bergen MUA has voluntarily decided to dispose of the snail loads at another facility. We continue to accept their ID-27 waste without incident since it is dry.

Your letter also alleges that there was litter on the site that needs to be controlled. To properly discuss this issue I think it is important to know the following:

1. As you can tell from the monthly waste type reports, approximately 90% of the waste being landfilled is Type 13 or 13C. The remaining 10% is Type 27 waste, which consists primarily of contaminated soils, grits and screenings. The point is that 90% of the waste is inert by definition and the remaining 10% does not contain any material that could blow away as litter. The main source of litter is the rigid insulation and plastic being discharged from the walking floor trailers. Portions of the Type 13 waste are being

dumped from a height of 12 feet off the ground. It does not take much wind to move this material 150 feet.

2. In the Spring of 2018 we had 4 major storms with high sustained winds. Dumping 1500 tons per day with high winds has the potential to create a lot of windblown debris.
3. Waste Management has always employed an aggressive litter control strategy, and will continue to do so.
4. As you know, the site was designed with a very tall, very expensive litter control fence as suggested in the regulations. Our main concern was to ensure the litter did not reach the swales or enter the adjacent waters. Waste Management, in combination with the fence, has always met this goal. Finally, this litter is non-putrescible inert material, there are no environmental issues relative to this litter.
5. One small section of the landfill faces the public and Bergen Avenue. Waste Management pays particular attention to this slope for aesthetic, not environmental, reasons. We have never received a complaint from the public or the Town regarding this issue. It should also be noted that Hudson County Regional Health routinely inspects the site and has never raised the issue of litter because it is inert and neither an environmental nor a health issue.
6. Eventually Waste Management controls most of the litter by picking it or covering it as we got up to the next level. That is why you will notice the piles of clean dirt staged at the top of the outside slope. They ultimately get spread downward to cover any debris; it is then seeded.

In summary, a small fraction of the waste is blown away during the unloading process. However, the material is inert and cannot leave the site. Waste Management is constantly picking litter, but it will always be a daily maintenance issue. As noted previously, the perimeter litter fence ensures that litter does not become an environmental issue. We have always considered the Department's regulations to be performance-based, and hope they would continue to be viewed this way.

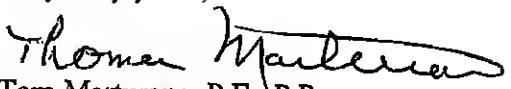
Lastly, you note that there is exposed solid waste observed on top of the landfill. In the pictures you forwarded to me to describe this condition, one was of a demo haul road and the second showed broken concrete with less than 10% wood. These conditions are not prohibited by permit.

As noted earlier in this response, almost all of the solid waste entering the landfill is by definition inert. This landfill does not accept putrescible waste. As such there are virtually no vectors of any kind at the site. None of these wastes create an environmental public health nuisance or safety hazard. Therefore, observing exposed solid waste at the top of the landfill is not a violation.

What you also observed and is shown explicitly in the pictures is that we do place significant amounts of cover on a daily basis. We do this for two main reasons. First, to control any light materials that could blow away overnight; and second, to provide a small buffer between the waste and the tires of our vehicles. You will never observe any litter originating from these exposed areas.

Waste Management will continue to operate the site in full conformance with the regulations and the permit. We welcome you back to the site at any time. I hope this satisfies your concerns; feel free to contact me or Waste Management if you have any questions.

Very truly yours,



Tom Marturano, P.E., P.P.
Director, Solid Waste
& Natural Resources

cc Gina Lugo, NJDEP
 Walt Ingram, Waste Management